

OPINION 597

PROTHECHUS RONDANI, 1856, AND *ALLONEURA* RONDANI, 1856 (INSECTA, DIPTERA); SUPPRESSED UNDER THE PLENARY POWERS.

RULING.—(1) The following generic names are hereby suppressed under the plenary powers for the purposes of the Law of Priority but not for those of the Law of Homonymy :—

- (a) *Prothechus* Rondani, 1856 ;
- (b) *Alloneura* Rondani, 1856.

(2) The following generic names are hereby placed on the Official List of Generic Names with the Name Numbers specified :—

- (a) *Verrallia* Mik, 1899 (gender : feminine), type-species, by original designation, *Cephalops aucta* Fallén, 1817 (Name No. 1412) ;
- (b) *Cephalosphaera* Enderlein, 1936 (gender : feminine), type-species, by original designation, *Pipunculus furcatus* Egger, 1860 (Name No. 1413) ;
- (c) *Tömösváryella* Aczél, 1939 (gender : feminine), type-species, by original designation, *Pipunculus sylvaticus* Meigen, 1824 (Name No. 1414).

(3) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified :—

- (a) *aucta* Fallén, 1817, as published in the binomen *Cephalops aucta* (type-species of *Verrallia* Mik, 1899) (Name No. 1725) ;
- (b) *furcatus* Egger, 1860, as published in the binomen *Pipunculus furcatus* (type-species of *Cephalosphaera* Enderlein, 1936) (Name No. 1726) ;
- (c) *sylvaticus* Meigen, 1824, as published in the binomen *Pipunculus sylvaticus* (type-species of *Tömösváryella* Aczél, 1939) (Name No. 1727).

(4) The following generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Numbers specified :—

- (a) *Prothechus* Rondani, 1856 (as suppressed under the plenary powers in (1) (a) above) (Name No. 1479) ;
- (b) *Alloneura* Rondani, 1856 (as suppressed under the plenary powers in (1)(b) above) (Name No. 1480).

HISTORY OF THE CASE (Z.N.(S.) 230)

The case was first submitted to the Commission by Dr. Elmo Hardy in a paper dated 19 February 1947 and was published, after some revision, on 1 October 1959 in *Bull. zool. Nomencl.* **17** : 27–29. Public Notice of the possible use by the Commission of its plenary powers in this case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (*Bull. zool. Nomencl.* **4** : 51–56) and to seven entomological serials.

Dr. Hardy's application was supported by Dr. M. L. Aczél and strongly opposed by Mr. J. E. Collin. The following report by Mr. Riley, Secretary to the Commission, was circulated with the Voting Paper :—

“ The object of the application (*Bull.* **17** : 27–29) is to suppress under the plenary powers two generic names, *Prothechus* and *Alloneura*, which are *nomina dubia* because based upon misidentified type-species. Mr. J. E. Collin (New-

market, England) has objected to the proposal on the grounds that *Prothechus* and *Alloneura*, although based on misidentified types, are not *nomina dubia* and ought to be preserved. Two letters addressed by Mr. Collin to the Office of the Commission are quoted below. In reading Mr. Collin's letters the Commission will not, of course, need to be reminded that a nominal genus is defined only by reference to its nominal type-species.

"2. Mr. Collin's letter received on 26 January 1960: 'Dr. Hardy maintains that these generic names should be regarded as '*nomina dubia*', presumably because he considers that they were 'based upon unrecognisable, misidentified, type-species'. The only 'type-species' mentioned by Rondani were certainly misidentified by him, because the *species* indicated by the quoted name as 'Type' for each genus does not possess the distinctive characters described by Rondani for that particular genus, a condition absolutely essential for any 'Type' of a genus.

'Actually neither of Rondani's two generic names was 'based upon a type-species', that is to say they were not new generic names published in association with a species mentioned by name only. They were in fact published by Rondani as new generic names for two proposed subdivisions of the old genus *Pipunculus*, and were based upon described distinctive characters by means of which each new genus could be recognized.

'The characters used for distinguishing these subdivisions were accepted and used by various later authors, but the *names* proposed by Rondani were not adopted because the characters were considered of very doubtful generic value. Becker in 1897 correctly recognized the 'group' *Alloneura*, but *not* the 'group' *Prothechus*, Mik in 1899 and Verrall in 1900 correctly recognized both 'groups', while Verrall, who in his 1900 work included a List of the European species of Pipunculidae (as well as Syrphidae), quoted Rondani's two generic names as 'Section' names in the genus *Pipunculus*.

'Then, in 1936, Enderlein (without any reference to previously proposed subdivisions) founded the genus *Cephalosphaera* with type *Pipunculus furcatus* Egger, and in 1939 Aczél (again without any reference to previous proposed subdivisions) founded a subgenus *Tömösváryella*, with type *Pipunculus sylvaticus* Meigen.

'The most surprising fact, however, is that Dr. Hardy apparently failed to notice that the characters upon which Rondani based his genus *Prothechus* were precisely the characters upon which Enderlein based his genus *Cephalosphaera*, and the characters upon which Rondani based his genus *Alloneura* were precisely the characters upon which Aczél based his subgenus *Tömösváryella*.

'Finally, the acceptance of priority for Rondani's two generic names will in no way affect the validity of the generic name *Verralia* Mik.'

"3. Upon receipt of this letter Mr. Melville (at the time Assistant Secretary to the Commission) wrote to Mr. Collin asking him to clarify his statement and to say exactly in what way he wished to modify Dr. Hardy's proposal.

"4. Mr. Collin's letter received on 30 January 1960: 'In regard to my criticism of Dr. Hardy's proposals for dealing with the generic names of *Prothechus* and *Alloneura*, I certainly consider that they are names which should be preserved.

'Of course the matter is primarily one of misidentified species quoted by name as 'Types'. In the case of the above-quoted genera all the published facts and descriptions prove conclusively that the two *species* quoted by Rondani as 'Types' were misidentified. This has indeed been accepted universally by all students of the Pipunculidae. Apparently it is still necessary for the Commission formally to agree that the species were misidentified, and therefore I would certainly request them to pass the necessary resolution to that effect.

'Presumably this would leave Rondani's two generic names as having been proposed for two genera based upon certain described distinctive characters without mention by name of any included species.

'I would suggest that advantage should be taken of the fact that the new genus *Prothechus* so proposed by Rondani was based upon precisely the same described distinctive characters as the later proposed new genus *Cephalosphaera* Enderlein (1936) with *Pipunculus furcatus* Egger validly designated as its type, in order to promulgate a proposal that these two genera be accepted as described with identical original limits, and consequently with the same type-species.

'Also that a similar proposal should be promulgated in the case of the new genus *Alloneura* Rondani, as having been described with the same identical original limits as the new genus *Tömösváryella* Aczél (1939) with *Pipunculus sylvaticus* Meigen validly designated as its type.

'Incidentally *Pipunculus furcatus*, a species possessing all the necessary distinctive characters described by Rondani for species belonging to his new genus *Prothechus*, was the first species to be correctly associated (by Mik in 1899) with that generic name. While *Pipunculus sylvaticus* Meigen, possessing all the necessary distinctive characters described by Rondani for species belonging to his new genus *Alloneura* was the first species to be associated (again by Mik in 1899) with that generic name.

'With the elimination, as misidentified, of the 'type' quoted by Rondani for his genus *Prothechus*, that generic name and *Verrallia* could no longer be regarded as 'objective synonyms'.

'Finally I would point out that the mere quotation of a specific name (especially if the author quoting that name was not himself the author of the quoted name) *represents a personal identification* of the species represented by that name, *which may or may not be correct*, but is always accepted as correct until *proved to be incorrect*. But when proved to be incorrect, all nomenclatural consequences of the misidentification must be corrected or the fundamental principal of zoological nomenclature will have been ignored.'

"5. The alternative proposals which follow from Mr. Collin's suggestions may be formally expressed as follows :—The Commission should

(1) use its plenary powers :

- (a) to suppress all designation of type-species for the nominal genus *Prothechus* Rondani, 1856, made prior to the Ruling now requested and, having done so, to designate *Pipunculus furcatus* Egger, 1860, to be the type-species of that genus ;

- (b) to suppress all designations of type-species for the nominal genus *Alloneura* Rondani, 1856, made prior to the Ruling now requested and, having done so, to designate *Pipunculus sylvaticus* Meigen, 1824, to be the type-species of that genus ;
- (2) and (3) place the generic names *Prothechus*, *Alloneura* and *Verrallia*, together with their respective type-species, on the relevant Official Lists ;
- (4) place the following generic names on the Official Index of Rejected and Invalid Generic Names in Zoology :—
 - (a) *Cephalosphaera* Enderlein, 1936 (a junior objective synonym of *Prothechus* Rondani, 1856) ;
 - (b) *Tömösváryella* Aczél, 1939 (a junior objective synonym of *Alloneura* Rondani, 1856).

“ 6. Copies of Mr. Collin's letters were sent to Dr. Hardy, who replied as follows :—(letter received 22 February 1960) ‘ I have checked over Mr. Collin's objection to my application in the case of *Prothechus* and *Alloneura*. These names, based on misidentified genotypes, are always a bit messy and I have tried to follow the available rules as carefully as possible in dealing with them. Under the procedure adopted at Paris, 1949, I understand that the only actual solution is putting it before the Commission for a decision. In doing this, I decided that it would be far better to preserve the two most commonly used names rather than to revert to names which have received little attention in the literature. This is especially true of *Tömösváryella* vs. *Alloneura*. My only thought is concerning the economic worker who objects rather violently to us taxonomists changing names so frequently.’ ”

“ 7. (Letter received 11 March 1960) : In the cases at hand, he [Collin] is fighting a one-man battle, since he is the one person who has used *Prothechus* and *Alloneura* in the sense in which he uses them. This amounts to but a small fraction of the literature—only one paper plus a note, to my knowledge. I do not agree with him that it is at all possible to be certain of the species with which Rondani was dealing. To the contrary, I feel that it is quite impossible to be sure.’ ”

“ 8. The Commission thus has to choose between the original proposals in this case—which, according to Dr. Hardy, will uphold the existing usage of two generic names well known to economic entomologists—and Mr. Collin's proposals, which Dr. Hardy says will cause confusion in the economic literature.”

DECISION OF THE COMMISSION

On 31 May 1960, Voting Paper (60)7 was circulated to members of the Commission with the above report, and the members were invited to vote in Part 1 of that Voting Paper either for or against the use of the plenary powers in the present case, and in Part 2, either for Alternative A (the proposals set out in *Bull. zool. Nomencl.* 17 : 28–29) or for Alternative B (the proposals set out as points (1) to (4) of paragraph 5 of the Secretary's Report). At the close of the Voting Period on 31 August 1960 the state of the voting was as follows :—

Part 1. Affirmative Votes—twenty (20) received in the following order : Hering, Holthuis, Brinck, Dymond, Riley, Obruchev, Jaczewski, Prantl, Lemche,

Kühnelt, Bonnet, Miller, Vokes, Stoll, Tortonese, do Amaral, Mayr, Key, Mertens, Poll.

Negative Votes—none (0).

Part 2. For Alternative A—sixteen (16) : Hering, Holthuis, Brinck, Dymond, Riley, Jaczewski, Prantl, Lemche, Kühnelt, Bonnet, Miller, Vokes, Stoll, Tortonese, Key, Poll.

For Alternative B—four (4) : Obruchev, do Amaral, Mayr, Mertens.

Votes not returned—four (4) : Boschma, Cabrera, Hemming, Uchida.

On Leave of Absence—one (1) : Bradley.

With his Voting Paper Commissioner Mayr sent this statement of his views of the case :—" I vote for Alternative B on this proposal

" 1. Because it is not true that the generic names *Prothecus* and *Alloneura* are 'nomina dubia' as implied in the original application and in the Voting Paper. On the contrary, the two genera on which these names were based were well characterized by certain characters which permitted identification by subsequent authors. As a consequence a number of revisers in the eighty years following the original publication have accepted the names for the taxa characterized by the original describer. This is clearly a case of generic names based on misidentified type-species and it would be a simple matter for the Commission to designate type-species consistent with the generic characters given by Rondani. Such designations have indeed already been proposed by subsequent revisers.

" 2. Because the two replacement names for Rondani's generic names, *Cephalosphaera* 1936 and *Tömösváryella* 1939 are too recent to benefit from the fifty years' rule. To revoke the priority of two adequately characterized generic names which have been used on and off in the literature for the last 100 years in favour of names proposed only 24 and 21 years ago, could be justified only in the case of frequently used names, in order to preserve stability and universality. Hardy has not submitted evidence that these names are frequently used in the entomological literature except by himself. The last ten years of the *Index of American Economic Entomology* (1948-1957) and of the *Review of Applied Entomology*, Series A (1945-1956) contain not a single reference to *Cephalosphaera* and only two to *Tömösváryella*. This is clearly not a case where stability would be threatened by following the mandate of priority. Under the circumstances I find no justification under the rules to invoke the plenary powers to suppress Rondani's available names."

ORIGINAL REFERENCES

The following are the original references for names placed on the Official Lists and Indexes by the Ruling given in the present Opinion :—

Alloneura Rondani, 1856, *Dipt. Ital. Prodr.* 1 : 140

aucta, *Cephalops*, Fallén, 1817, *Dipt. suec.* 1 (Syrphici) (6) : 61

Cephalosphaera Enderlein, 1936, *Dipt. Thierw. Mitteleurop.* 6 : 3

furcatus, *Pipunculus*, Egger, 1860, *Verh. zool.-bot. Ges. Wien* 10 : 347

Prothecus Rondani, 1856, *Dipt. Ital. Prodr.* 1 : 139 (as *Prothecus* in index : 220)

sylvaticus, *Pipunculus*, Meigen, 1824, *Syst. Besch. zweifl. Ins.* 4 : 20

Tömösváryella Aczél, 1939, *Zool. Anz.* **125** : 20, 22

Verrallia Mik, 1899, *Wien. ent. Ztg.* **18** : 137

CERTIFICATE

WE certify that the votes cast on Voting Paper (60)7 were cast as set out above, that the proposal set out in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 597.

N. D. RILEY

Secretary

W. E. CHINA

Assistant Secretary

International Commission on Zoological Nomenclature

London

20 January 1961